

4th June 2012**FAO Mr Stephen Cantwell
Havant Borough Council Planning Department**

Dear Mr Cantwell,

RE: APP/13/00317 Yachthaven Ecology.

I am pleased to provide the following information below in respect of comments and observations made by yourself, Jon Holmes of Chichester Harbour Conservancy (CHC) and Simon Thompson of Natural England during our on site meeting at Yachthaven on the 28th May 2013. I would also like to take this opportunity to respond to the Hampshire & Isle of Wight Wildlife Trust planning officer Trevor Codlin in respect to his comments raised in his letter dated 20th May 2013 a copy of which is viewable on the Havant Planning application portal on line. Trevor has made reference to the application with 3 particular points and I have below within my response outlined and included measures that I can envisage will be included either conditionally as part of planning or subject to an appropriate separate legal agreement but also stipulated within any future nature conservation management commitment plan criteria by the future Yachthaven management company.

Contamination***Yachthaven Conservation Coastal Grassland***

The proposed area that is promoted for the creation as coastal meadow has been in-filled with various imported materials in the past. The contamination risk assessment report (EAS 2011) for the site provides data to suggest that the area does not hold significant risks to the adjacent designated sites. A 'leave alone' approach to the clean up of the area rather than the disturbance of soils and other materials that are present being taken. This area will not be disturbed other than for minimal surface clean up of visible and near surface vicinity unwanted materials. Currently the area has mixed rubble and other unwanted mainly constructional materials on the surface but mixed with soil type sediments. Once the surface clean up has been carried out it will be determined by an appropriately experienced ecological/environmental consultant as to whether a suitable imported soil would be appropriate to assist with the creation of the proposed coastal grassland scheme for this area. The sediments that are currently present and in part the importation of inert soils would likely be preferable to assist in providing a diverse mosaic of grassland habitats for differing coastal grasses and wildflowers to colonise. Discussion has also taken place between Ecosupport and Pete Potts of Hampshire County Council Countryside Section in respect of the prospect of inclusion of a seed mix being introduced from locally sourced hay cut from a suitable meadow. This would assist in the colonisation of desired species to the coastal grassland conservation area. This area would be suitably fenced with a stock netting dug into the ground with single post and rail specification fence so as not to allow human or dog access into this grassland area. Management of the area will be specifically for nature conservation including a suitable grassland management favourable for reptile species. The prescription of the management would be detailed within a prepared Yachthaven

Conservation Management Document, this document would be subject to agreement by Natural England prior to works commencing.

SINC Coastal Grassland

Within the SINC, strewn rubble is present which has fallen and been displaced from a particular area of the existing raised embankment, the public footpath is located on this embankment and directs walkers along the shoreline of Yachthaven Creek. The raised embankment/footpath has likely been constructed in the past to assist with marsh reclamation.

As identified during the site visit the source of strewn rubble is from erosion of the landward side of this embankment by tidal water inflowing through what was likely one of the original outflow pipes to drain the landward lying SINC meadow. As such the water inflow during the highest of tides flowing back into the SINC has eroded a small weak section of the base of the embankment uncovering some constructional materials on the bank, these being small amounts brick and concrete rubble. A proportion of these materials have likely been strewn over the SINC from human interference. The SINC presently has likely hydrological influence from the inflow of saltwater from the old drainage pipe and freshwater surface water runoff from the SINC itself and the neighbouring horse paddocks to the north with some ephemeral shallow standing water which creates brackish pools along the base of an approximate 15 metre section of the embankment. These pools are of nature conservation interest and albeit limited in size provide an interesting habitat for plant and invertebrate communities.

It is intended that the 'litter' i.e. strewn rubble is dealt with by hand picking and disposing of within the intended construction of several reptile hibernacula to be placed within the SINC and the associated other conservation area on site 'Yachthaven Conservation Grassland'.

To eliminate any future continued erosion and the safeguard of the footpath and any further rubble being uncovered it is intended to construct a replacement in/outflow pipe with associated apron and headwall. In addition to providing a suitable structure to facilitate the present existing tidal flows, it can also allow flexibility in any future conservation management of water levels within the SINC and if deemed necessary a change to water level control. This would only be intended if after consultation with the appropriate conservation organisations and consultant that it was deemed favourable for biodiversity enhancement of the area. This would allow a positive means and method to which to manage water levels within the SINC and enhance any future wetland management of the site.

The design construction of the in/out flow pipe would be detailed within the required Conservation Management Plan for the SINC which Simon Thompson from Natural England has requested be a condition of planning.

Remediation of Intertidal Areas (Methods of Removal)

To provide mitigation for the positioning of the proposed pontoon and associated moored boats it is proposed that the existing shoreline and associated upper tidal zone is cleared of foreign materials. This predominantly includes tarmac and rubble which is strewn along almost the entire shoreline of the site. Furthermore, there are 2 large iron pontoons, which currently are sat on the shoreline, these will be removed off site to an appropriate recycling merchant.

The method of works to clean up the shoreline of foreign materials will employ the use of a suitably sized 360 degree digger using both a toothed and where applicable un-toothed ditching bucket. The works will be overseen by an experienced ecologist to ensure that no habitats such as existing areas of saltmarsh or coastal grassland areas are disturbed or destroyed. The aim of the clean up is to

remove all foreign materials from the shoreline to uncover the natural sediments. This removal will allow benthic plant and animal communities to re-establish along the upper shore areas where previously debris would have limited and/or suppressed these communities. All foreign materials from the shoreline will be removed and disposed of at a recycling merchant for an appropriate re-use. The exact method of remediation works will be detailed within the Capital Works of the Conservation Management Plan document requested by Natural England as a condition of planning.

Removal of Existing Concrete Plinths & Re-profiling

The public footpath located along the northern shoreline of Yachthaven does not experience levels of excessive erosion with low energy wave action being experienced along this shoreline. It is the intention to remove the existing concrete currently in situ on the eastern shoreline with this area being subject to minimal re-profiling works to allow for a less shear edge to the footpath along the shoreline. A two-terrace effect or steps will be profiled to allow for increased and accelerated colonisation by shoreline plants along the entire eastern shoreline of the Yachthaven site. This will in time provide further opportunities for native plant and animal communities to re-establish along this shoreline and will mirror the current existing vegetated shoreline to the west of the Yachthaven site.

Any re-profiling works along the shoreline will mitigate for any possible loss of public footpath by installing required fencing back from the shoreline to allow for an appropriate width for pedestrians and wheelchair users.

Again these works will be detailed within the Capital Works of the Management Plan as requested by Natural England.

All the above works will be overseen by an appropriately experienced ecologist and contamination consultant. To lessen any risk in relation to contamination, contingencies will be set in place with appropriate methods which will likely include silt fencing, designated re-fueling areas, positioning of appropriate spill kits on site and tool box awareness talk prior to works commencing on site.

Bird Disturbance & Protection of Eelgrass Beds

The proposed Yachthaven development will be managed by the associated Yachthaven Hayling Island Ltd Management Company. The management company will control and implement the leasing and management of the 12 related moorings of the pontoon. The lease agreement of each mooring will be subject to conditions and responsibilities, some of which will be related to Mitigation Measures aimed at minimising disturbance to birdlife. These conditions of lease will include the following:

- No landing of any watercraft of any description or setting down or pick up of persons upon any areas as defined within the attached 'Avoidance of Bird Disturbance Mitigation Map'. (This map will highlight areas of bird interest and known usage which are to remain strictly off limits). This 'Avoidance of Bird Disturbance Mitigation Map' will also be displayed at the pontoon visible to all accessing the pontoon with a brief describing the importance of 'human free' areas within the harbor.
- To abide to harbour speed limit restrictions at all times
- It will be the responsibility of each leaseholder to report any such activity that is witnessed to Yachthaven Management Company.

As well as the above conditions an 'Eelgrass Code of Conduct' will be prepared and will be required to be agreed as part of the lease agreement terms. Again an information notice at the access point to the pontoon will also be visible to any entering the pontoon detailing the Code of Conduct.

In addition to the above leasing conditions and informatives Yachthaven Hayling Island Ltd are conscious of the current 26 moorings listed as available within the Yachthaven Creek for lease from Chichester Harbour Conservancy (CHC). It is proposed that 12 of these 26 moorings would be reflected from the take up of the pontoon berths and the remaining 14 swing moorings available be taken up/leased by Yachthaven Hayling Island Ltd but the use of which would be relinquished with no actual swing moorings of the 26 being available, just the 12 pontoon berths. This arrangement I envisage would be one of the clauses covered in a Section 106 Agreement between HBC and Yachthaven Hayling Island Ltd.

This take up of the available moorings within Yachthaven would assist with minimising boat movements through the creek but also have the additional positive of significantly reducing direct damage from what has been witnessed within the Creek, the destruction of some areas of eelgrass beds from swing moorings.

Liaison with Hampshire Countryside Section has also taken place in relation to the potential for disturbance from water craft landing on Verner and Gutner saltmarshes both of which have considerable high tide bird roosts and likely small numbers of breeding waders present. It has been agreed that funds will be set aside by Yachthaven Hayling Island Ltd for 'Strictly No Landing' signs if in future it is deemed necessary.

Creation of Coastal Grassland & Management of Nature Reserve

In terms of on-going repairs, maintenance and funding in perpetuity, Yachthaven Hayling Island Management Company will budget annual funds set aside to deal with any likely management requirements such as fence repairs, annual habitat management and monitoring and if required liaison with relevant conservation organisations.

All capital works including shoreline 'clean up' mitigation, habitat enhancement works to the SINC, creation of coastal grassland as well as the on-going long term monitoring and maintenance of these areas will be detailed within a prepared Management Plan.

For ease of reference please see attached plan below.

If you have any questions please do not hesitate to contact me.

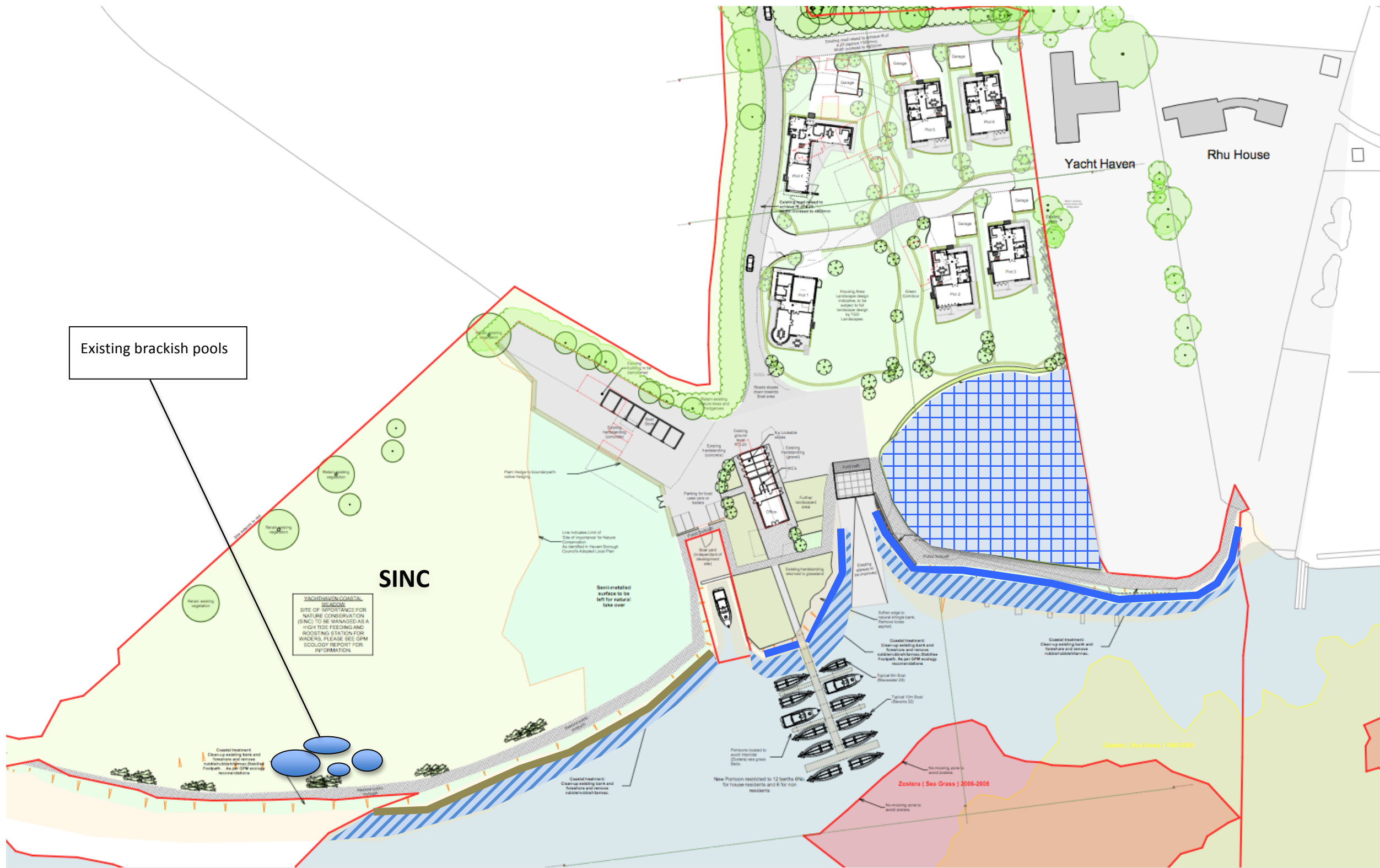
Yours sincerely



Dean Swensson

Principal Ecologist

www.ecosupport.co.uk



PLAN A

- Yachthaven conservation coastal grassland
- Area of shoreline subject to stepped terrace profiling to encourage plant colonisation
- Shoreline clean up of debris along tidal zones
- Existing vegetated stepped terrace profile not to be disturbed during shoreline clean up works

Project Name: **Response Letter**
 Client: **Yachthaven Hayling Island LTD**
 Title: **Response Letter** Date: **June 2013**